

Remarks

The Office Action mailed September 26, 2005 and made final has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 are pending in this application. Claims 1-3, 5-18, 20-42, 48-49, 51-54 and 57-78 stand rejected. Claims 4, 19, 43-47, 50, 55-60 and 71-74 have been canceled.

In accordance with 37 C.F.R. 1.136(a), a two-month extension of time is submitted herewith to extend the due date of the response to the Office Action dated September 26, 2005, and made final, for the above-identified patent application from December 26, 2005, through and including February 26, 2006. Authorization to charge a deposit account in the amount of \$450.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Applicants respectfully submit that Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70 satisfy section 112, second paragraph. More specifically, Applicants respectfully submit that Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70 are definite and particularly point out and distinctly claim the subject matter of the invention. The Office Action asserts that "Amended Claim 1 recites the limitation 'a user associated with the business entity'" and that "Claims 2-3 and 6 refer to a user" and that this causes the claims to be unclear. Applicants traverse this assertion. Applicants, however, submit that Claims 6, 16 and 70 have been amended to address this rejection. In addition, Applicants submit that it is clear from the other claims that the term "user" also refers to "a user associated with the business entity". Accordingly, Applicants submit that Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70 satisfy section 112, second paragraph. For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 2-3, 6-7, 9, 11-14, 16-17, 21, 26, 28-29, 32-34, 36, 39, 41, 63 and 70 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 under 35 U.S.C. § 103(a) as being unpatentable over Fredell et al. (U.S. Patent No. 6,678,698) (“Fredell”) in view of Foth et al. (U.S. Patent No. 6,839,690) (“Foth”) and further in view of Parsons (U.S. Patent No. 6,411,939) is respectfully traversed.

Applicants respectfully submit that no combination of Fredell, Foth and Parsons describes or suggests the claimed invention. As discussed below, at least one of the differences between the cited references and the present invention is that none of Fredell, Foth or Parsons, alone or in combination, describe or suggest a method for managing a deal process using a server system coupled to a database and in communication with a client system wherein *the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, the method includes identifying at least one prospective customer of the business entity, and creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, wherein the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, and wherein the at least one customized web page and portal is stored within the database.* (Emphasis added.)

Moreover, Applicants submit that none of Fredell, Foth or Parsons, alone or in combination, describe or suggest a method that includes *accessing the server system by the prospective customer by displaying on the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal, prompting a user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has accessed the server system and selected a proposed deal, and designating the prospective customer as a customer of the business entity within the server system wherein the deal created at the server representing a financial transaction between the customer and the business entity and the deal library representing a portion of the database for storing documents created as part of the financial transaction.* (Emphasis added.)

Furthermore, Applicants submit that none of Fredell, Foth or Parsons, alone or in combination, describe or suggest a method that includes assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal, tracking each task and milestone for completing the deal, and *enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.* (Emphasis added.)

As explained below, Parsons describes a computer-aided method, machine, and products produced thereby, for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement. Although Parsons mentions at Col. 37, lines 36-46 that the “system provides ancillary financial services to the replacement plan participants, which are intended to assist them in their individual financial affairs and supplement the benefits provided through the replacement plan...The services are accessible through the Internet, telephone, fax, mail, e-mail and any other practical means...They can also be offered as stand-alone services, not connected to a replacement plan”, Parsons does not describe or suggest identifying at least one prospective customer of the business entity, or creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity wherein the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity. Moreover, Parsons does not describe or suggest accessing the server system by the prospective customer by displaying on the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal, prompting a user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has accessed the server system and selected a proposed deal, or designating the prospective customer as a customer of the business entity within the server system wherein the deal created at the server represents a financial transaction between the customer and the business entity and the deal library represents a portion of the database for storing documents created as part of the financial transaction.

Applicants submit that merely describing a system for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement that also provides ancillary financial services to the replacement plan participants does not describe or teach the recitations of Claim 1.

Applicants also submit that Parsons is non-analogous art that is not relevant to the present patent application. More specifically, Parsons describes a computer-aided method, machine, and products produced thereby, for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement. Parsons does not address issues related to a method for managing a deal process using a server system coupled to a database and in communication with a client system wherein the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers. Applicants submit that illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement is significantly different than managing a deal process.

Given the obvious differences between a computer-aided method, machine, and products produced thereby, for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement, and a method for managing a deal process, and the fact that the processes and systems described by Parsons neither recognize nor solve any of the problems addressed by the present invention, it is respectfully submitted that Parsons is non-analogous art that would not be looked to for potential solutions for managing a deal process as recited in the present claims.

In addition, Applicants respectfully submit that there is no teaching, suggestion or motivation for the combination of Fredell, Foth or Parsons. Rather, Fredell describes a web-based method and system for communicating and managing project information, Foth describes an Internet-based system that allows a buyer and a seller to obtain information about each other while remaining somewhat anonymous, and Parsons describes a computer-aided method, machine, and products produced thereby for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement. Accordingly, this Section

103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 be withdrawn.

Fredell describes a web-based method and system for communicating and managing project information. The method allows for storing project-related information including project documentation in a database. The method further provides an interface screen available through a global communications network. The interface screen is configurable to identify a plurality of project tasks. The interface screen includes a data field for defining a respective time window over which each of the tasks is to be performed by at least one project participant. The method allows for posting over the global communications network to selected project participants the plurality of project tasks. The posted plurality of project tasks is linkable to the database to retrieve project documentation that requires review by the selected project participants. A communicating step allows for communicating over the global communications network project status data for populating a project status screen indicative of the status of respective ones of the plurality of tasks.

Foth describes an Internet-based system that allows a buyer and a seller to obtain information about each other while remaining somewhat anonymous. The system provides historic information to buyer and seller by having a trusted third party give the buyer and seller the other party's trading history information without revealing the actual identity of the parties. A buyer registers with the trusted third party by submitting an online application. The trusted third party establishes a credit score for the buyer. A seller registers with the trusted third party by submitting an online application. The trusted third party establishes a score for the seller based upon the seller's trading history, reputation and financial standing. When the buyer chooses to purchase a product from a seller over the Internet, certain parameters i.e., dollar value of transaction, type of purchase, level of current outstanding credit available, credit score, etc. are substituted into an algorithm to determine the maximum purchase amount that may be financed at what terms and how much money the buyer will have to place in escrow. The buyers

escrow may be furnished to the trusted third party by credit cards, ACH, wire transfer, etc. If the trusted third party is not satisfied with the seller's score, the trusted third party may require the seller to post a bond for some or all of the seller's transactions.

Parsons describes a computer-aided method, machine, and products produced thereby, for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement. The method implemented with a machine includes a digital electrical computer having a processor programmed for electrically processing input data into output data, wherein the computer is electrically connected to an input device and to an output device for illustrating a replacement of a benefit plan. The method includes entering information defining a benefit plan that is viable at one location but not viable at a replacement plan location to convert the information into a portion of the input data that is electrically conveyed to the digital electrical computer for processing, engaging the digital electrical computer for the processing of the input data into the output data wherein the output data corresponds to characteristics for a replacement of the benefit plan and the replacement being viable at the replacement plan location, and generating an illustration of the replacement at the output device.

Claim 1 recites a method for managing a deal process using a server system coupled to a database and in communication with a client system, the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, the method includes “prompting a user associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...identifying at least one prospective customer of the business entity...creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...accessing the server system by the prospective

customer by displaying on the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...prompting a user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has accessed the server system and selected a proposed deal...designating the prospective customer as a customer of the business entity within the server system, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...tracking each task and milestone for completing the deal...and enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

None of Fredell, Foth or Parsons, considered alone or in combination, describe or suggest the method recited in Claim 1. More specifically, none of Fredell, Foth or Parsons, considered alone or in combination, describe or suggest a method for managing a deal process using a server system coupled to a database and in communication with a client system, wherein *the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, and wherein the method includes identifying at least one prospective customer of the business entity, and creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, wherein the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and*

a common equity, and wherein the at least one customized web page and portal is stored within the database. (Emphasis added.)

Moreover, none of Fredell, Foth or Parsons, alone or in combination, describe or suggest a method that includes *accessing the server system by the prospective customer by displaying on the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal*, prompting a user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has accessed the server system and selected a proposed deal, and *designating the prospective customer as a customer of the business entity within the server system wherein the deal created at the server representing a financial transaction between the customer and the business entity and the deal library representing a portion of the database for storing documents created as part of the financial transaction*. (Emphasis added.)

Furthermore, none of Fredell, Foth or Parsons, alone or in combination, describe or suggest a method that includes assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal, tracking each task and milestone for completing the deal, and *enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal*. (Emphasis added.)

The Office Action asserts that Fredell discloses “assigning the customer to the deal team...” Applicants traverse this assertion. Fredell does not disclose a “customer” as recited in Claim 1. Rather, Fredell describes a system where the parties are already engaged in a project and the parties are not using the system to attract prospective customers, designating those prospective customer as customers, and then assigning the customers to a deal team.

As acknowledged by the Office Action at pages 7-8, Fredell does not teach “accessing the server system by the prospective customer by displaying on the client system at least one of a web page and a portal customized for attracting the prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the

business entity, the proposed deal is targeted by the business entity to the prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity; prompting a user associated with the business entity to create a deal at the server system between the business entity and the prospective customer after the prospective customer has accessed the server system and selected a proposed deal; and designating the prospective customer as a customer of the business entity.” Rather, Fredell describes a system where the parties are already engaged in a project and the parties are not using the system to attract prospective customers. However, the Office Action further asserts that Parsons teaches these recitations. Applicants traverse this assertion.

More specifically, the Office Action asserts that Parsons teaches “an Internet-based computerized investment service and financial planning service...Private Banking Services is selected and the participant is presented a menu of products and services from which to choose those that are of most interest...As the participant selects a particular product or services, a list of providers of the particular products or services can be displayed, from which the participant makes a selection.” Applicants respectfully submit that merely describing, as is the case in Parsons, a system for illustrating a replacement of a benefit plan that is viable at one location but not viable at the location of the replacement that also displays after a participant selects a particular product or services a list of providers of the particular products or services from which the participant makes a selection does not describe or teach a method for managing a deal process using a server system coupled to a database and in communication with a client system, wherein *the server is associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, and wherein the method includes identifying at least one prospective customer of the business entity, and creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, wherein the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity.* (Emphasis added.)

Moreover, Parsons does not describe or suggest a method that includes *accessing the server system by the prospective customer by displaying on the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal, designating the prospective customer as a customer of the business entity within the server system wherein the deal created at the server representing a financial transaction between the customer and the business entity and the deal library representing a portion of the database for storing documents created as part of the financial transaction, or enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.* (Emphasis added.)

Notably, none of Fredell, Foth or Parsons, alone or in combination, describe or suggest identifying at least one prospective customer of the business entity, creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, designating the prospective customer as a customer of the business entity within a server system associated with the business entity, assigning the customer to a deal team, and then enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.

As explained above, because none of Fredell, Foth or Parsons teaches or suggests one or more of the claimed elements, it follows that a combination of Fredell, Foth and Parsons cannot teach or suggest such elements. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Fredell in view of Foth and further in view of Parsons.

For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Fredell in view of Foth and further in view of Parsons.

Claim 4 has been canceled. Claims 2, 3 and 5-15 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 3 and 5-15 are considered in

combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3 and 5-15 likewise are patentable over Fredell in view of Foth and further in view of Parsons.

Claim 16 recites a system including at least one computer configured as a server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers that is coupled to a database for storing business profiles, libraries and templates, and at least one client system connected to the server through a network, the server is configured to “prompt a user associated with the business entity to create a business profile, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...identify at least one prospective customer of the business entity...create at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...display on the at least one client system for the prospective customer the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...prompt a user associated with the business entity to create a deal and a deal library after the prospective customer has selected a proposed deal...designate the prospective customer as a customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and enable a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database...prompt a user to assign tasks and milestones to be performed by the deal team members for completing the deal, the tasks and milestones are entered using templates stored

within the database...notify the deal team members of the assigned tasks to be performed and milestones accomplished...track each task and milestone for completing the deal...and enable the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

Claim 16, as herein amended, recites a system comprising, among other things, a computer configured as a server and configured to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 16 is patentable over the combination of Fredell, Foth and Parsons for reasons that correspond to those given with respect to Claim 1.

Claim 19 has been canceled. Claims 17, 18 and 20-30 depend, directly or indirectly, upon Claim 16. When the recitations of Claims 17, 18 and 20-30 are considered in combination with the recitations of Claim 16, it is submitted that Claims 17, 18 and 20-30 are likewise patentable over the combination of Fredell, Foth and Parsons.

Claim 31 recites an apparatus that includes “means for a user associated with a business entity to create business profiles, the business entity engaged in a business of offering at least one of products and services to prospective customers, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within a database...means for identifying at least one prospective customer of the business entity...means for storing records of identified prospective customers within the database...means for creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...means for providing access to the database for the prospective customer by displaying on a client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...means for prompting a user associated with the business entity to create a deal and a deal library after the prospective customer has selected a proposed deal...means for designating the prospective customer as a

customer of the business entity, the deal created representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...means for assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...means for assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database...means for assigning tasks and milestones to be performed by the deal team members for completing the deal...means for notifying the deal team members of the assigned tasks to be performed and milestones...means for tracking each task and milestone for completing the deal...and means for enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

Claim 31, as herein amended, recites an apparatus that includes means for performing steps similar to those recited in Claim 1 and those similar to that which the server performs in Claim 16. Thus, it is submitted that Claim 31 is patentable over the combination of Fredell, Foth and Parsons for reasons that correspond to those given with respect to Claims 1 and 16.

Claims 32-42 depend, directly or indirectly, upon Claim 31. When the recitations of Claims 32-42 are considered in combination with the recitations of Claim 31, it is submitted that Claims 32-40 are likewise patentable over the combination of Fredell, Foth and Parsons.

Claims 43-47 have been canceled.

Claim 48 recites a method for initiating a deal transaction using a server system coupled to a database and in communication with a client system, the client system having a user interface, the server associated with a business entity engaged in a business of offering at least one of products and services to prospective customers, the method includes “prompting a user associated with the business entity to create a business profile at the server system for storing within the database, the business profile includes permissions granted to each user associated

with the business entity for accessing information stored within the database...identifying at least one prospective customer of the business entity...creating at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...accessing the server system by the prospective customer by displaying on the user interface of the client system the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...prompting a user associated with the business entity to create a deal and a deal library at the server system after the prospective customer has accessed the server system and selected a proposed deal...designating the prospective customer as a customer of the business entity within the server system; the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assigning members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...displaying a library template downloaded from the server system for prompting a user associated with the business entity to organize documents associated with the deal within the corresponding deal library stored in the database...assigning the customer to the deal team and enabling a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database including specific documents stored within the deal library...assigning at the server system tasks and milestones to be performed by the deal team members for completing the deal...notifying the deal team members of the assigned tasks to be performed and milestones...tracking each task and milestone for completing the deal...and enabling the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

Claim 48, as herein amended, recites a method for initiating a deal transaction that includes at least some steps that are similar to those recited in Claim 1. Thus, it is submitted that Claim 48 is patentable over the combination of Fredell, Foth and Parsons for reasons that correspond to those given with respect to Claim 1.

Claim 50 has been canceled. Claims 49 and 51-54 depend, directly or indirectly, upon Claim 48. When the recitations of Claims 49 and 51-54 are considered in combination with the recitations of Claim 48, it is submitted that Claims 49 and 51-54 are likewise patentable over the combination of Fredell, Foth and Parsons.

Claims 55-60 have been canceled.

Claim 61 recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer, the business entity engaged in a business of offering at least one of products and services to prospective customers, the program including at least one code segment that receives information and then “prompts a user associated with the business entity to create a business profile for storing within a database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...identifies at least one prospective customer of the business entity...creates at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...displays for a prospective customer the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...prompts a user associated with the business entity to create a deal and a deal library after the prospective customer has selected a proposed deal...designates the prospective customer as a customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for

storing documents created as part of the financial transaction...assigns members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assigns the customer to the deal team and enables a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database...assigns tasks and milestones to be performed by the deal team members for completing the deal...notifies the deal team members of the assigned tasks to be performed and milestones...and tracks each task and milestone for completing the deal...and enables the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

Claim 61, as herein amended, recites a computer program embodied on a computer-readable medium for managing a deal process between a business entity and a prospective customer that includes a code segment that performs steps similar to those recited in Claim 1. Thus, it is submitted that Claim 61 is patentable over the combination of Fredell, Foth and Parsons for reasons that correspond to those given with respect to Claim 1.

Claims 62-66 depend, directly or indirectly, upon Claim 61. When the recitations of Claims 62-66 are considered in combination with the recitations of Claim 61, it is submitted that Claims 62-66 are likewise patentable over the combination of Fredell, Foth and Parsons.

Claim 67 recites a computer for managing a deal process between a business entity and a prospective customer, the computer coupled to a database, the business entity engaged in a business of offering at least one of products and services to prospective customers, the computer is programmed to “prompt a user associated with the business entity to create a business profile for storing within the database, the business profile includes permissions granted to each user associated with the business entity for accessing information stored within the database...identify at least one prospective customer of the business entity...create at least one of a web page and a portal customized for attracting the at least one identified prospective customer to a deal proposed by the business entity including purchasing at least one of a product

and service offered by the business entity, the proposed deal is specifically targeted by the business entity to the identified prospective customer and includes at least one of a loan, a lease, an equity stake, and a common equity, wherein the at least one customized web page and portal stored within the database...display for the prospective customer the at least one of the web page and portal customized for attracting the prospective customer to the proposed deal...prompt a user associated with the business entity to create a deal and a deal library after the prospective customer has selected a proposed deal...designate the prospective customer as a customer of the business entity, the deal created at the server representing a financial transaction between the customer and the business entity, the deal library representing a portion of the database for storing documents created as part of the financial transaction...assign members to a deal team for the deal between the business entity and the customer, the deal team members include users associated with the business entity who will perform tasks for completing the deal...assign the customer to the deal team and enable a user associated with the business entity to grant permissions to the customer for accessing specific documents stored in the deal library corresponding with the deal for the customer and other information stored in the database...assign tasks and milestones to be performed by the deal team members for completing the deal...notify the deal team members of the assigned tasks to be performed and milestones...track each task and milestone for completing the deal...and enable the customer to monitor the progress of the deal by displaying on the client system a status of the deal including the tasks and milestones associated with the deal.”

Claim 67, as herein amended, recites a computer for managing a deal process between a business entity and a prospective customer that is programmed to perform steps similar to those recited in Claim 1. Thus, it is submitted that Claim 67 is patentable over the combination of Fredell, Foth and Parsons for reasons that correspond to those given with respect to Claim 1.

Claims 68-70 depend, directly or indirectly, upon Claim 67. When the recitations of Claims 68-70 are considered in combination with the recitations of Claim 67, it is submitted that Claims 68-70 are likewise patentable over the combination of Fredell, Foth and Parsons.

Claims 71-74 have been canceled.

For the reasons given above, it is respectfully requested that the rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Fredell, Foth and Parsons be withdrawn.

In addition to the above arguments, the rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 under 35 U.S.C. § 103(a) as being unpatentable over Fredell in view of Foth and further in view of Parsons is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Fredell using the teachings of Foth and Parsons. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.


None of Fredell, Foth or Parsons, considered alone or in combination, describe or suggest the claimed combination. Rather, these present Section 103 rejections are based on a

combination of teachings selected from multiple references in an attempt to arrive at the claimed invention. Since there is no teaching, suggestion or motivation for the combination of Fredell, Foth or Parsons, this Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1-3, 5-18, 20-42, 48-49, 51-54, 61-70 and 75-78 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing amendments and remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



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